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BOMBAY ACT No. XXVII OF 1953.[1]

[THE PRISONS (BOMBAY AMENDMENT) ACT, 1953.]

[*13th May 1953*]

An Act to amend the Prisons Act, 1894, in its application to the State of Bombay.

IX of 1894. WHEREAS it is expedient to amend the Prisons Act, 1894, in its application to the State of Bombay; It is hereby enacted as follows :—

Short title. **1.** This Act may be called the Prisons (Bombay Amendment) Act, 1953.

Amendment of section 3 of Act IX of 1894. **2.** In section 3 of the Prisons Act, 1894, hereinafter referred to as the said Act, IX of 1894. for clause (5), the following clauses shall be substituted, namely :—

"(5) 'remission system' means the system of regulating the award of marks to, and the consequent shortening of sentences of, prisoners in jail in accordance with the rules for the time being in force ;

(5A) 'furlough system' means the system of releasing prisoners in jail on furlough in accordance with the rules for the time being in force."

Amendment of section 46 of Act IX of 1894. **3.** In section 46 of the said Act, in clause (4), for the words "the remission system" the words "the remission or furlough system" shall be substituted.

Amendment of section 47 of Act IX of 1894. **4.** In section 47 of the said Act, in clause (4) of sub-section (*1*), for the words "the remission system" the words "the remission or furlough system" shall be substituted.

Insertion of new section 48A in Act IX of 1894. **5.** After section 48 of the said Act, the following section shall be inserted, namely :—

Punishment for breach of conditions of suspension of sentence, etc. "48A. If any prisoner fails without sufficient cause to observe any of the conditions on which his sentence was suspended or remitted or furlough was granted to him, he shall be deemed to have committed a prison offence and the Superintendent may, after obtaining his explanation, punish such offence by—

(*1*) a formal warning as provided in clause (1) of section 46 ;

(*2*) reduction in grade if such prisoner has been appointed an officer of prison ;

(*3*) loss of privileges admissible under the remission or furlough system ; or

(*4*) loss of such other privileges as the State Government may by a general or special order direct."

Amendment of section 59 of Act IX of 1894. **6.** In section 59 of the said Act, for clause (5), the following clause shall be substituted, namely :—

"(5) for the award of marks, granting remission or furlough, determining the conditions on which and the authority by which such remission or furlough shall be granted and the consequent shortening of the sentence."

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[1] For Statement of Objects and Reasons, *see Bombay Government Gazette*, 1953, Part V, pp. 2-3.